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- San Bernardino County Transportation Commission •San Bernardino County Transportation Authority  
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies
- 

## MINUTE SUMMARY

### Board of Directors Meeting

**June 3, 2009**

**Start Time: 9:30 a.m.**

#### LOCATION

**San Bernardino Associated Governments  
Santa Fe Depot - SANBAG Lobby 1st Floor  
1170 W. 3rd Street, San Bernardino, CA**

#### Board of Directors

##### President

Gary Ovitt, Supervisor  
*County of San Bernardino*

##### Vice-President

Paul Eaton, Mayor  
*City of Montclair*

Charley Glasper, Mayor  
*City of Adelanto*

Rick Roelle, Mayor  
*Town of Apple Valley*

Julie McIntyre, Mayor Pro Tem  
*City of Barstow*

Bill Jahn, Mayor Pro Tem  
*City of Big Bear Lake*

Dennis Yates, Mayor  
*City of Chino*

Gwenn Norton-Perry, Council Member  
*City of Chino Hills*

Kelly Chastain, Mayor  
*City of Colton*

Mark Nuaimi, Mayor  
*City of Fontana*

Bea Cortes, Council Member  
*City of Grand Terrace*

Mike Leonard, Council Member  
*City of Hesperia*

Larry McCallon, Council Member  
*City of Highland*

Rhodes "Dusty" Riggsby, Mayor Pro Tem  
*City of Loma Linda*

Jeff Williams, Mayor  
*City of Needles*

Alan Wapner, Council Member  
*City of Ontario*

Diane Williams, Council Member  
*City of Rancho Cucamonga*

Patricia Gilbreath, Mayor Pro Tem  
*City of Redlands*

Ed Scott, Council Member  
*City of Rialto*

Patrick Morris, Mayor  
*City of San Bernardino*

Jim Harris, Council Member  
*City of Twentynine Palms*

John Pomierski, Mayor  
*City of Upland*

Ryan McEachron, Council Member  
*City of Victorville*

Richard Riddell, Mayor  
*City of Yucaipa*

William Neeb, Council Member  
*Town of Yucca Valley*

Brad Mitselfelt, Supervisor  
*County of San Bernardino*

Paul Biane, Supervisor  
*County of San Bernardino*

Neil Derry, Supervisor  
*County of San Bernardino*

Josie Gonzales, Supervisor  
*County of San Bernardino*

Ray Wolfe, Caltrans  
*Ex-Officio Member*

Deborah Robinson Barmack  
*Executive Director*

**San Bernardino Associated Governments  
County Transportation Commission  
County Transportation Authority  
County Congestion Management Agency  
Service Authority for Freeway Emergencies**

**Board of Directors**

**MINUTE SUMMARY**

**June 3, 2009**

**9:30 a.m.**

**Location:**

**San Bernardino Associated Governments  
Santa Fe Depot  
SANBAG Lobby, 1st Floor  
1170 W. 3rd Street, San Bernardino**

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional meeting procedures and agenda explanations are attached to the end of this agenda.

Called to Order - 9:35 a.m. by Supervisor Gary Ovitt

I Pledge of Allegiance

II. Attendance

**Charley Glasper, Adelanto**

**Rick Roelle, Apple Valley**

**Julie McIntyre, Barstow**

**Bill Jahn, Big Bear Lake**

**Dennis Yates, Chino**

**\*Kelly Chastain, Colton**

**Mark Nuaimi, Fontana**

**Bea Cortes, Grand Terrace**

**Mike Leonard, Hesperia**

**Larry McCallon, Highland**

**Rhodes Rigsby, Loma Linda**

**Paul Eaton, Montclair**

**Jeff Williams, Needles**

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**Ed Scott, Rialto**

**Patrick Morris, San Bernardino**

**Jim Harris, Twentynine Palms**

**John Pomierski, Upland**

**Ryan McEachron, Victorville**

**Dick Riddell, Yucaipa**

**William Neeb, Yucca Valley**

**Paul Biane, County of San Bernardino**

**Neil Derry, County of San Bernardino**

**Brad Mitzelfelt, County of San Bernardino**

**Gary Ovitt, County of San Bernardino**

**Josie Gonzales, County of San Bernardino**

**Basem Muallem, Caltrans District 8**

**Jean-Rene Basle, SANBAG Counsel**

**Deborah Robinson Barmack, SANBAG**

**\*Departed after Agenda Item 23**

III. Announcements: Mayor Richard Riddell commented on the dedication and ribbon cutting ceremony for the I-10/Live Oak Canyon Interchange held May 28<sup>th</sup>. Supervisor Neil Derry thanked the City of Yucaipa, SANBAG and his predecessor, Dennis Hansberger, for their leadership on the I-10/Live Oak Canyon project. The Policy Committees will meet on their regularly scheduled dates and times. A foreclosure prevention seminar will be held June 27<sup>th</sup> at 8:00 a.m. in the Chino Community Center. Following the board meeting there will be a tour of the San Bernardino International Airport. Staff provided a brief update on the National Train Day celebration held May 9<sup>th</sup> in the Santa Fe Depot. A Board Workshop on Clean Technology Companies in San Bernardino County will be scheduled in the upcoming months.

IV. Agenda Notices/Modifications: NONE

## ***Notes/Actions:***

### **1. Possible Conflict of Interest Issues for the Board Meeting of Pg. 15 June 3, 2009**

**NONE**

Note agenda item contractors, subcontractors and agents, which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

## **Consent Calendar**

Items listed on the Consent Calendar are expected to be routine and non-controversial. These items have been discussed at SANBAG Policy Committee meetings and made available for public review as noted in the agenda. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Member Request. Items pulled from the consent calendar will be brought up under Agenda Item 26.

**MOVED:  
Yates  
SECOND:  
Cortes  
28-0-0**

## **Administrative Matters**

### **2. Board of Directors Attendance Roster**

Pg. 17

**Information Only**

### **3. Procurement Report for April 2009**

Pg. 21

**Information Only**

Receive Monthly Procurement Report. **Bill Stawarski**

This item was unanimously received by the Administrative Committee on May 13, 2009.

### **4. Notice of Presidential Appointment to Southern California Association of Governments (SCAG) Community Economic and Human Development (CEHD) Committee**

Pg. 23

**Information Only**

Note Presidential Appointment of Chino Hills City Council Member Gwenn Norton-Perry to fill a vacancy on the SCAG Community Economic and Human Development Committee. **Duane Baker**

This item has not received prior policy committee review.

**Consent Calendar Continued....****Administrative Matters (Cont.)**

- |   |        |                  |
|---|--------|------------------|
| 5. <b>Amendment to Conflict of Interest Policy 10102</b><br>Approve an amendment to Policy 10102 covering conflict of interest reporting for Board Members and employees. <b>Duane Baker</b><br>This item was reviewed and unanimously recommended for approval by the Administrative Committee on May 13, 2009.  | Pg. 25 | Approved Consent |
| 6. <b>New Policy Authorizing the Executive Director to Deny Claims Against SANBAG</b><br>Approve new policy No. 10006 giving the Executive Director authority to deny claims against SANBAG (see Attachment #1). <b>Duane Baker</b><br>This item was reviewed and unanimously recommended for approval by the Administrative Committee on May 13, 2009. | Pg. 32 | Approved Consent |

**Regional & Quality of Life Programs**

- |  |        |                  |
|--|--------|------------------|
| 7. <b>Award contract for the Construction and Installation of Detection/Monitoring Stations on State Route (SR) 210</b><br>1. Award contract No. 08-146 to High-Light Electric, for the Construction of Detection/Monitoring Stations on SR 210, for \$103,700, plus a 10% contingency, for an amount not-to-exceed \$114,070, as outlined in the financial impact section below, and<br>2. Amend the Fiscal Year (FY) 2008/2009 Budget, to increase Task Number 70609000 by \$114,070 to fund this activity. Funding source Measure I Valley Transportation Management and Environmental Enhancement (TMEE) funding, as outlined in the financial impact section below. <b>Michelle Kirkhoff</b><br>This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee at its May 20, 2009 meeting. The contract has been reviewed as to form by SANBAG Legal Counsel. | Pg. 34 | Approved Consent |
| 8. <b>Agreement with the Riverside County Transportation Commission (RCTC) for the implementation of San Bernardino County Trip Reduction/Ridesharing services, as well as 511 development and implementation.</b><br>Approve Agreement No. 09-190 with RCTC, from July 1, 2009, through June 30, 2010, for an amount not-to-exceed \$1,900,500, as outlined in the Financial Impact Section below. <b>Michelle Kirkhoff</b><br>This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on May 20, 2009. SANBAG Counsel has approved this contract as to form.   | Pg. 46 | Approved Consent |

**Consent Calendar Continued....****Subregional Transportation Planning & Programming**

- |     |  |        |                  |
|-----|--|--------|------------------|
| 9.  | <b>Quarterly Administrative Report on SANBAG Federal Funding Programs</b>  | Pg. 59 | Approved Consent |
|     | <p>1. Receive report on quarterly reporting and obligation status.</p> <p>2. Adopt a finding of compliance with obligation requirements for all affected agencies. <b>Ty Schuiling</b></p> <p>This item was reviewed and unanimously recommended for approval by the Mountain Desert Committee on May 15, 2009, and the Plans and Programs Committee on May 20, 2009.</p>  |        |                  |
| 10. | <b>Congestion Mitigation and Air Quality (CMAQ) and Regional Surface Transportation Program (RSTP) Apportionment Balances and Obligation Authority Delivery Status for Fiscal Year (FY) 2008/09</b>  | Pg. 64 | Received & Filed |
|     | <p>Receive status report on CMAQ and RSTP Apportionment Balance and Obligation Authority (OA) delivery for FY08/09. <b>Ty Schuiling</b></p> <p>This item was reviewed by the Plans and Programs Committee on May 20, 2009.</p>   |        |                  |
| 11. | <b>Programming Action to prevent TEA-21 and ISTEA earmark funds from being rescinded after September 30, 2009</b>  | Pg. 66 | Approved Consent |
|     | <p>1. Receive report on the possibility of rescinding unobligated TEA-21 and ISTEA earmark funds by Congress.</p> <p>2. Approve staff recommendation on timely obligation of the subject TEA-21 and ISTEA funds by September 30, 2009 through urgent FTIP Amendment #16. <b>Ty Schuiling</b></p> <p>This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on May 20, 2009.</p> |        |                  |

**Consent Calendar Continued....****Subregional Transportation Planning & Programming (Cont.)****12. Project Advancement Agreements**

Pg. 69

**Approved Consent**

1) Receive information on requests for additional Project Advancement Agreements (PAA) from the Cities of Rancho Cucamonga, Rialto, Chino, Highland, and the County of San Bernardino to rectify issues associated the expenditure of funds on Nexus Study Projects prior to the execution of a PAA.

2) Note that approval of Agreements will extend the estimated payback periods for PAAs. The impact on the Valley Major Street Program will extend the PAA payback period by 2-3 years to approximately 10 years. The impact on the Valley Freeway Interchange Program will extend the payback period by 2 years to approximately 7 years.

3) Approve the model Project Advancement Agreement (Attachment 1), with clarifying revisions incorporated subsequent to approval of the Measure I 2010-2040 Strategic Plan.

4) Recognize that consistent with original PAA program principles, repayment of Project Advancement Agreements must be subordinate to debt service on bonds sold to deliver SANBAG-sponsored projects.

5) PAAs will only be recommended for approval after evaluation of their impact to SANBAG's overall financial strength and stability.

**Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on May 20, 2009.

**13. Scope of Work for Updating the Big Bear Modal Alternatives Analysis**

Pg. 82

**Approved Consent**

Approve the Scope of Work in concept (Attachment 1). **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on May 20, 2009.

**Program Support/Council of Govts.****14. Report on Surface Transportation Reauthorization Submittal**

Pg. 93

**Received & Filed**

Receive report on SANBAG's project submittals for the next surface transportation reauthorization bill. **Jennifer Franco**

This item was reviewed by the Administrative Committee on May 13, 2009 and the Mountain Desert Committee on May 15, 2009.

**Consent Calendar Continued....****Project Development**

- |   |         |                  |
|---|---------|------------------|
| 15. <b>Approve appraisals and authorize offers for properties necessary for the Hunts Lane and Union Pacific Railroad Company (UPRR) Grade Separation Project</b>   | Pg. 101 | Approved Consent |
| <p>1. Approve appraisals for eleven (11) parcels listed in Attachment 'A' for the railroad grade separation project (Project) at Hunts Lane and Union Pacific Railroad Company (UPRR) in the Cities of San Bernardino and Colton.</p> <p>2. Authorize proceeding with acquisitions of 11 parcels of the estimated 29 parcels necessary for the Project and utility relocation design for an estimated amount of \$477,000. <b>Garry Cohoe</b></p> <p>This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 14, 2009.</p> |         |                  |
| 16. <b>Amendment No. 6 to extend the period of performance and increase the contract amount for Contract 02-042 with Moffatt &amp; Nichol Engineers for Engineering, Right of Way and Construction Support Services for the Hunts Lane and Union Pacific Railroad (UPRR) Grade Separation Project</b>   | Pg. 104 | Approved Consent |
| <p>Approve Amendment No. 6 to Contract 02-042 with Moffatt &amp; Nichol Engineers to extend the period of performance to June 30, 2013 and to increase the contract amount by \$400,453 for a new not-to-exceed total of \$2,476,215. <b>Garry Cohoe</b></p> <p>This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 14, 2009. SANBAG Counsel has reviewed and approved the amendment as to form.</p>   |         |                  |
| 17. <b>Construction advertising and bid package approval for SR-210 Establish Existing Planting Work for Segment 4 in the City of Rancho Cucamonga</b>  | Pg. 129 | Approved Consent |
| <p>Approve plans and specifications and authorize staff to proceed with advertising for the SR-210 Establish Existing Planting Work project for Segment 4 in the City of Rancho Cucamonga. <b>Garry Cohoe</b></p> <p>This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 14, 2009.</p>   |         |                  |

**Consent Calendar Continued....****Project Development (Cont.)**

18. **Right of Way expenses for the State Street/University Parkway Grade Separation project** Pg. 131 **Approved Consent**

Increase authorized amount for Right of Way acquisition for the State Street/University Parkway Grade Separation in an amount not to exceed \$550,000. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 14, 2009.

**Transit/Commuter Rail**

19. **Financial Commitment to the Southern California Regional Rail Authority (SCRRA) based upon the SCRRA Preliminary Budget for Fiscal Year 2009/2010** Pg. 133 **Approved Consent**

1. Approve the Fiscal Year 2009/2010 operating assistance financial contribution to the SCRRA in the amount of \$9,354,000 of which \$2,000,000 will be provided from Measure I Valley Rail and 7,354,000 will be provided from Valley Local Transportation Funds (LTF) apportionment as identified in the Financial Impact Section.

2. Approve the Fiscal Year 2009/2010 capital assistance financial contribution to the SCRRA in the amount of \$12,109,500 of which \$10,318,462 will be provided from Federal Transit Administration (FTA) Section 5307 Fixed Guideway funds, \$1,207,600 from Measure I Valley Rail funds and \$583,438 from FTA Section 5309 Rail Modernization funds as identified in the Financial Impact Section. **Mike Bair**

This item was reviewed by the Commuter Rail Committee on May 21, 2009 and unanimously recommended for approval.

20. **First Amendment to Contract No. 09148 with Michael A. Bair for Transit and Rail Consultation Services** Pg. 139 **Approved Consent**

Approve Amendment No. 1 to Contract No. C09148-1 between Michael A. Bair and SANBAG to provide services related to the implementation of Transit and Rail programs. The contract is to cover a period through June 30, 2010 for an average of two days of service per week and is for an amount not to exceed \$92,160 for the entire year. **Duane Baker**

This item was reviewed and unanimously recommended for approval by the Administrative Committee on May 13, 2009. The contract amendment has been reviewed as to form by Legal Counsel.



## **DISCUSSION ITEMS**

### **Administrative**

**21. Election of SANBAG Officers for 2009/2010**

Pg. 145

**\*See Notes**

Conduct election for President and Vice President of the SANBAG Board of Directors for 2009/2010. **Duane Baker**

The date of this election was on the May Board of Directors agenda as a discussion item. This item has not been reviewed by any SANBAG policy committee. It is consistent with the agency bylaws and past practices.

**\*Council Member Cortes to nominated Paul Eaton for President, second by Mayor Yates. There being no other declaration of candidacy the nominations were closed. Mayor Paul Eaton was unanimously elected SANBAG President.**

**Mayor Pro Tem Jahn nominated Brad Mitzelfelt for Vice President, second by Mayor Morris. There being no other declaration of candidacy the nominations were closed. Supervisor Brad Mitzelfelt was unanimously elected SANBAG President.**

**Discussion Items Continued... .**

**Administrative (Cont.)**

**22. SANBAG 2009/2010 Proposed Budget**

Pg. 149

**MOVED:  
Morris  
SECOND:  
Gilbreath  
28-0-0**

1. Conduct the Public Hearing on the Proposed 2009/2010 SANBAG Budget.
2. Replace page 31 of the SANBAG Budget document with the revised attachment.
3. Adopt the SANBAG Fiscal Year 2009/2010 Budget with the following amendments
  - a. Amend Task No. 10210000, Air Quality Activities to increase the task amount by \$19,299 from \$51,346 to \$70,645 for salaries, fringe allocation and indirect allocation.
  - b. Amend Task No. 11010000, Regional Transportation Planning to decrease the task amount by 4,981 from \$98,624 to \$93,643 for salaries, fringe allocation and indirect allocation.
  - c. Amend Task No. 11110000, Freight Movement Planning, to decrease the task amount by \$2,179 from \$113,637 to \$111,458 for salaries, fringe allocation, indirect allocation and travel.
  - d. Amend Task No. 11210000, Growth Forecasting & Planning to decrease the task amount by \$2,180 from \$114,308 to \$112,128 for salaries, fringe allocation, indirect allocation and professional services.
  - e. Amend Task No. 40410000, Subregional Transportation Planning, to decrease the task amount by \$9,959 from \$182,403 to \$172,444 for salaries, fringe allocation and indirect allocation.
  - f. Amend Task No. 50010000, Transportation Improvement Program, to increase the task amount by \$4,172 from \$213,437 to \$217,609 due to a recalculation of the indirect allocation.

**William Stawarski**

This item was reviewed by the Administrative Committee on May 13, 2009 and unanimously recommended for approval.

**President Ovitt opened the public hearing for comments. No public comments were received and the hearing was closed.**

**Discussion Items Continued... .****Regional & Quality of Life Programs**

- 23. Contract No. 09-197 with Ron DeLaby for Call Box Recovery Services Pg. 153**

Approve Sole Source Contract No. 09-197, with Ron DeLaby, to provide recovery services for call box knockdowns throughout San Bernardino County from July 1, 2009 through June 30, 2012, in an amount not to exceed \$90,000.00, as outlined in the Financial Impact Section below. **Michelle Kirkhoff**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on May 20, 2009. This item has been reviewed as to form by SAFE Legal Counsel.

**MOVED:  
Yates  
SECOND:  
Pomierski  
28-0-0**

**Transit and Commuter Rail**

- 24. Extension of Metrolink Service to the San Bernardino Transit Station at "E" Street Pg. 167**

Select the double track extension of Metrolink service to the San Bernardino Transit Station at "E" Street as the preferred alternative. **Mike Bair**

This item was reviewed by the Commuter Rail Committee on May 21, 2009 and unanimously recommended for approval.

**MOVED:  
Wapner  
SECOND:  
McCallon  
27-0-0**

**Discussion Items Continued... .****Program Support/Council of Governments****25. Adopt Positions for State Legislation**

Pg. 174

**MOVED:  
Yates  
SECOND:  
Pomierski  
27-0-0****1. Adopt a support position on the following bills:**

- a. AB 266 (Carter)
- b. AB 254 (Jeffries)
- c. AB 561 (Carter)
- d. AB 610 (Caballero)
- e. AB 729 (Evans)
- f. AB 732 (Jeffries)
- g. AB 782 (Jeffries)
- h. AB 798 (Nava)
- i. AB 892 (Furutani)
- j. AB 1072 (Eng)
- k. AB 1204 (Huber)
- l. AB 1243 (Lowenthal)
- m. AB 1403 (Eng)
- n. SB 696 (Wright)

**2. Adopt an oppose position on the following bills:**

- a. SB 391 (Liu)
- b. AB 397 (Jeffries)
- c. SB 406 (DeSaulnier)

**3. Adopt a neutral position for the following bill:**

- a. AB 726 (Nielsen)

**Jennifer Franco**

This item was reviewed and recommended for approval (5-2-0; opposed: Pat Gilbreath and Paul Eaton) by the Administrative Committee on May 13, 2009.

**Mayor Yates moved the staff recommendation, second by Mayor Pomierski. Discussion followed among board members on whether a "Watch" position would be more appropriate on AB 726. Mayor Yates agreed to amend his motion to reflect a "Watch" position on AB 726. Second by Pomierski. Item passed unanimously.**

**Other Matters****26. Consent Calendar Items Pulled for Discussion: NONE**

Items pulled from the consent calendar shall be taken under this item in the order they were presented on the calendar.

**Comments from Board Members**

Council Member McCallon suggested each city should oppose SB 406.

Mayor Morris thanked Michelle Kirkhoff for her work in preparing grant applications to secure funds for the conversion of JB Hunt trucks from diesel to LNG.

Mayor Morris responded to a question on locomotive idling by stating that locomotives cannot idle their engines longer than 15 minutes.

Mayor Yates added that the SCAQMD has been working aggressively with the ports of Long Beach and Los Angeles in replacing their diesel trucks.

Council Member McCallon thanked Deborah Barmack and the Board for supporting AB 1403.

Supervisor Mitzelfelt thanked the Board for his Vice President appointment.

**Public Comment**

None

**Adjourned To:**

**CLOSED SESSION**

Conference with Labor Negotiator (Gary Ovitt)  
regarding public employee performance evaluation pursuant to Government  
code Section 54957

Unrepresented Employee: Executive Director

Conference with Labor Negotiator (Gary Ovitt)  
pursuant to Government Code Section 54957.6  
Unrepresented Employee: Executive Director

**Reconvened To:**

There was no reportable action from Closed Session

**ADJOURNMENT at 10:55 a.m.  
to a Board Member tour of the  
San Bernardino International Airport (SBIA)**

**Additional Information****Agency Reports/Committee Memberships**

Commuter Rail Report Pg.184

Mayor Pro Tem Patricia Gilbreath

South Coast Air Quality Management Report Pg. 187

Mayor Dennis Yates

Mobile Source Air Pollution Reduction Review Committee (MSRC) Pg. 189

Council Member Gwenn Norton-Perry

**SCAG Committees**

Pg. 191

SCAG Regional Council

SCAG Policy Committees

Community, Economic and Human Development

Energy and Environment

Transportation and Communications

**SANBAG Policy Committees**

Pg. 192

**Acronym List**

Pg. 195

Complete packages of this agenda are available for public review at the SANBAG offices and our website: [www.sanbag.ca.gov](http://www.sanbag.ca.gov). Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

## Meeting Procedures and Rules of Conduct

### **Meeting Procedures**

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

### **Accessibility**

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, CA.

**Agendas** – All agendas are posted at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: [www.sanbag.ca.gov](http://www.sanbag.ca.gov). Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

**Agenda Actions** – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

**Closed Session Agenda Items** – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

**Public Testimony on an Item** – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

**Agenda Times** – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

**Public Comment** – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in "Public Testimony on any Item" still apply.*

**Disruptive Conduct** – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

**SANBAG General Practices for Conducting Meetings  
of  
Board of Directors and Policy Committees**

**Basic Agenda Item Discussion.**

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

**The Vote as specified in the SANBAG Bylaws.**

- Each member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

**Amendment or Substitute Motion.**

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

**Call for the Question.**

- At times, a member of the Board/Committee may “Call for the Question.”
- Upon a “Call for the Question,” the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair’s discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

**The Chair.**

- At all times, meetings are conducted in accordance with the Chair’s direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Board/Committee Chair.

**Courtesy and Decorum.**

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

*Adopted By SANBAG Board of Directors January 2008*